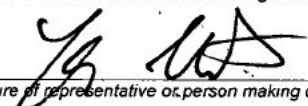


INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**Case
13-CA-118689Date Filed
12/10/2013**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT			
a. Name of Employer McDonald's		b. Tel. No 773-924-0821	
		c. Cell No.	
		f. Fax No.	
d. Address (Street, city, state, and ZIP code) 70 East Garfield Blvd. Chicago, IL 60615		e. Employer Representative	
		g e-Mail	
		h. Number of workers employed Approximately 60	
i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurant		j. Identify principal product or service Fast food	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) _____ of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) On (b) (6), (b) (7)(C) 2013, the above-named employer refused to allow employee (b) (6), (b) (7)(C) to clock in a (b) (6), (b) (7)(C) normal time, and on (b) (6), (b) (7)(C) 2013, the above-named employer required (b) (6), (b) (7)(C) and employee (b) (6), (b) (7)(C) to go to a different location to obtain their paychecks despite the fact that they and all other employees regularly receive their paychecks at the facility where they are employed and that all other employees received their paychecks at the usual location then, taking these actions in retaliation for participation by employees (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) in a lawful, protected strike on (b) (6), (b) (7)(C) 2013, in retaliation for their support of the Union, and in an effort to discourage them and other employees from supporting the Union and engaging in protected, concerted activities.			
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Workers Organizing Committee of Chicago			
4a. Address (Street and number, city, state, and ZIP code) 123 West Madison Street Suite 800 Chicago, IL 60602		4b. Tel. No. 312-520-1424	
		4c. Cell No.	
		4d. Fax No. 312-243-4731	
		4e. e-Mail	
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)			
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No. 312-372-1361	
By  (signature of representative or person making charge)		Office, if any, Cell No.	
Barry M. Bennett, Lawyer (Print/type name and title or office, if any)		Fax No. 312-372-6599	
Address 8 South Michigan Avenue, 19th Floor, Chicago, IL 60603		e-Mail bbennett@dbb-law.com	
		12/9/13 (date)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

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JUSTIN J. LANNOYE

December 10, 2013

JEREMY M. BARR
JOSIAH A. GROFF
DAVID P. LICHTMAN
GEORGE A. LUSCOMBE III

Via Hand Delivery

Mr. Peter Sung Ohr
Regional Director
Region 13, National Labor Relations Board
The Rookery Building
209 South LaSalle Street, Suite 900
Chicago, IL 60604

Re: McDonald's/Joint Employer

Dear Mr. Ohr:

This letter will serve as a preliminary statement position on behalf of the Workers Organizing Committee of Chicago regarding the joint employer claim encompassed in our charges. These charges are different than other charges the WOCC has filed over the last several months against various McDonald's facilities. As you will see from the face of the charges, they name the individual facilities and also McDonald's Corporation. The reason is that in each instance, we allege that the unlawful conduct was taken by the individual facility at the explicit direction of the parent corporation and therefore, for purposes of the conduct at issue, the parent corporation and whatever entity owns the individual facility are joint employers.

The essence of the charges is that the schedules posted weekly at the individual facilities contain printed notations asserting that the material on the schedules is confidential property of McDonald's Corporation and stating that using, copying, or reproducing the material without prior permission of an officer of McDonald's is not only prohibited but could lead to civil and criminal prosecution. We assert that scheduling -- both with respect to the specific days, shifts, and hours worked by individual employees, and as to the number of hours of work assigned to employees each week -- is a term and condition of employment that is no more subject to such a confidentiality provision (and threat of prosecution for violation of the purported confidentiality requirement) than wage rates. Thus, the attempt to prohibit employees from sharing information about schedules and hours violates Section 8(a)(1). See e.g., *Albertson's, Inc.*, 351 NLRB 254,

DOWD, BLOCH & BENNETT

Mr. Peter Sung Ohr
Regional Director
December 10, 2013
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258-59 (2007); *Costco Wholesale Corp.*, 358 NLRB No. 106, 2012 NLRB LEXIS 534 (September 7, 2012); *Ridgely Manufacturing Co.*, 270 NLRB 193, 197 (1973), *enf'd.*, 510 F.2d 185 (D.C. Cir. 1975).

As you know, the WOCC has filed numerous charges against individual McDonald's facilities, without alleging the parent corporation to be a joint employer. Nonetheless, those charges which the Region apparently has found to be meritorious (and that number is substantial and growing) have been held in abeyance pending a determination by the Division of Advice as to whether the parent corporation should be considered a joint employer with the individual facility. On the one hand, the WOCC certainly believes the parent corporation has such joint employer status and should be held accountable accordingly. On the other hand, charges that seek protection for serious and often ongoing violations against real people who have been promised protection by the Act are simply sitting there, pending action by the Division of Advice. That has resulted in what is effectively a continuing denial to the affected employees of the protections of the Act. It also gives the message to other employees that if they are so bold as to engage in "protected" activities themselves, the law really will not give them much protection at all, or at least will not do so in a timely and meaningful way.

The situation presented by the charges this position statement accompanies is different. Here, we are alleging that the parent corporation *is* a joint employer, but we are only making that allegation with respect to the specific unlawful conduct presented in the charges. Furthermore, we are not doing so based on the overall relationship between the individual facilities and the parent corporation, the financial ties between them, the degree of authority over employment matters and other operational subjects retained by the parent corporation, or other considerations that apparently are deemed to be of such a complex and subtle nature as to require a ruling from the Division of Advice. Instead, we base this limited claim of joint employer status on the very clear evidence that the unlawful interference with Section 7 rights that we challenge through these charges is taken at the explicit and specific direction of the parent corporation and that only an officer of the parent corporation can authorize any limited and specific cessation of the unlawful conduct. Respectfully, I submit that nothing about that is particularly subtle, complex, or otherwise in need of advice from Washington.

As stated in the attached letter, we are prepared to present our evidence regarding these charges, which I do not believe will require much time or effort. I respectfully ask that we be given an opportunity to expand on our position as appropriate with respect to


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
Mr. Peter Sung Ohr
Regional Director
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the illegality of the underlying conduct, the joint employer issue, and any possibility of these charges being submitted to Advice.

Thank you for your consideration.

Respectfully yours,


Barry M. Bennett

BMB 
Enclosures

Cases

New	Case Number	Case Name	Status	Date Filed	IA Category	Charging Party/Petitioner	Blocked	Dispute/Unit City	Charged Party/Employer	Hot Topics	Dispute/Unit State	No. 8(b)(2) Discriminatees	No. 8(a)(3) Discriminatees	No. of Employees on Petition/Charge	Team	Inquiry Id	Field Agent	Field Supervisor	Barg Status	Closed Reason	Date Closed	Description	Type	Sub Type
12	13-CA-118598	McDonald's	Open	12/9/2013	2	Workers Organizing Committee of Chicago	No	Chicago	McDonald's		IL			35	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	RPAZ	None				C	CA
	13-CA-118600	Snarfs	Open	12/9/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Snarfs		IL		10	12	CLEE		CLEE	PHITTERM	None				C	CA
	13-CA-117083	McDonald's	Open	11/14/2013	2	Workers Organizing Committee of Chicago	No	Chicago	McDonald's		IL			60	JPROKOP		JPROKOP	RPAZ	None				C	CA
	13-CA-116213	Forever 21 Retail, Inc	Open	11/1/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Forever 21 Retail, Inc		IL			80	JHOFSTRA		JHOFSTRA	PHITTERM	None				C	CA
	13-CA-115647	McDonald's	Open	10/25/2013	2	Workers Organizing Committee of Chicago	No	Chicago	McDonald's		IL		1	25	JPROKOP		JPROKOP	RPAZ	None				C	CA
	13-CA-113821	McDonald's	Open	9/20/2013	2	Workers Organizing Committee of Chicago	No	Chicago	McDonald's		IL		1	35	JPROKOP		JPROKOP	RPAZ	None				C	CA
	13-CA-113838	Macy's	Open	9/20/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Macy's		IL		1	350	JPROKOP		JPROKOP	RPAZ	None				C	CA
	13-CA-113837	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's	Open	9/20/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Wnght Management, Inc d/b/a Rock-N-Roll McDonald's		IL		1	150	JPROKOP		JPROKOP	RPAZ	None				C	CA
	13-CA-113838	Mrs Fields	Closed	9/20/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Mrs Fields		IL			30	CORTEGA		CORTEGA	KGIANOPU	None	Withdrawal Non-adjusted	11/19/2013		C	CA
	13-CA-112992	Dunkin Donuts	Closed	9/9/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Dunkin Donuts		IL		2	28	CLEE		CLEE	PHITTERM	None	Withdrawal Adjusted	11/6/2013		C	CA
	13-CA-112990	Protein Bar	Open	9/9/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Protein Bar		IL		1	25	JHOFSTRA		JHOFSTRA	PHITTERM	None				C	CA
	13-CA-112988	Protein Bar	Open	9/9/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Protein Bar		IL		1	25	JHOFSTRA		JHOFSTRA	PHITTERM	None				C	CA
	13-CA-112220	Wnght Management, Inc d/b/a Rock-N-Roll McDonald's	Closed	8/28/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Wnght Management, Inc d/b/a Rock-N-Roll McDonald's		IL			200	JPROKOP		JPROKOP	RPAZ	None	Withdrawal Non-adjusted	9/30/2013		C	CA
	13-CA-112046	Wnght Management, Inc d/b/a Rock-N-Roll McDonald's	Closed	8/26/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Wnght Management, Inc d/b/a Rock-N-Roll McDonald's		IL		1	200	JPROKOP		JPROKOP	RPAZ	None	Withdrawal Non-adjusted	9/30/2013		C	CA
	13-CA-111818	Sears Roebuck & Co	Open	8/21/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Sears Roebuck & Co		IL			275	CLEE		CLEE	PHITTERM	None				C	CA
	13-CA-109622	Macy's	Open	7/19/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Macy's		IL		1	500	JPROKOP		JPROKOP	RPAZ	None				C	CA
	13-CA-109155	Madison Subway, LLC	Open	7/15/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Madison Subway, LLC		IL			20	JHOFSTRA		JHOFSTRA	PHITTERM	None				C	CA
	13-CA-108457	Sally's Beauty Supply	Closed	7/2/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Sally's Beauty Supply		IL		1	14	CMUHL		CMUHL	PHITTERM	None	Withdrawal Adjusted	7/16/2013		C	CA
		Wnght Management,				Workers			Wnght Management,															

(b) (7)(E)

12/10/2013

New	Case Number	Case Name	Status	Date Filed	IA Category	Charging Party/Petitioner	Blocked	Dispute/Link City	Charged Party/Employer	Hot Topics	Dispute/Unit State	No. 8(b)(2) Discriminates	No. 8(a)(3) Discriminates	No. of Employees on Petition/Charge	Team	Inquiry Id (b) (6), (b) (7)(C)	Field Agent	Field Supervisor	Barg Status	Closed Reason	Date Closed	Description	Type	Sub Type
	13-CA-107668	Inc d/b/a Rock-N-Roll McDonald's	Open	6/20/2013	2	Organizing Committee of Chicago	No	Chicago	Inc d/b/a Rock-N-Roll McDonald's		IL		1	200	JPROKOP		PROKOP	PHITTERM	None				C	CA
	13-CA-106490	Karavites Restaurants 11102 LLC, d/b/a McDonald's	Open	6/4/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Karavites Restaurants 11102 LLC, d/b/a McDonald's		IL			25	JPROKOP		PROKOP	PHITTERM	None				C	CA
	13-CA-106493	RMC Loop Enterprises, LLC, d/b/a McDonald's	Open	6/4/2013	2	Workers Organizing Committee of Chicago	No	Chicago	RMC Loop Enterprises LLC, d/b/a McDonald's		IL			25	JPROKOP		PROKOP	PHITTERM	None				C	CA
	13-CA-106491	Karavites Restaurants 26, Inc, d/b/a McDonald's	Open	6/4/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Karavites Restaurants 26, Inc d/b/a McDonald's		IL	1		30	JPROKOP		PROKOP	PHITTERM	None				C	CA
	13-CA-105770	Wright Management, Inc d/b/a Rock-N-Roll McDonald's	Closed	5/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Wright Management, Inc d/b/a Rock-N-Roll McDonald's		IL	1		50	JPROKOP		PROKOP	PHITTERM	None	Withdrawal Non-adjusted	6/27/2013		C	CA
	13-CA-105778	Nordstrom, Inc d/b/a Nordstrom Rack	Closed	5/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Nordstrom, Inc d/b/a Nordstrom Rack		IL	1		90	JHOFSTRA		HOFSTRA	PHITTERM	None	Informal Settlement	10/30/2013		C	CA
	13-CA-105814	Sally's Beauty Supply	Open	5/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Sally's Beauty Supply		IL	1		14	RMCKINNE		RMCKINNE	PHITTERM	None				C	CA
	13-CA-103613	Niketown	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Niketown		IL			40	JSCHRAN		SCHRAN	PHITTERM	None	Withdrawal Non-adjusted	5/15/2013		C	CA
	13-CA-103522	Dunkin Donuts	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Dunkin Donuts		IL			15	JHOFSTRA		HOFSTRA	PHITTERM	None	Withdrawal Non-adjusted	5/16/2013		C	CA
	13-CA-103527	Forever 21	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Forever 21		IL			40	JHOFSTRA		HOFSTRA	PHITTERM	None	Withdrawal Non-adjusted	5/17/2013		C	CA
	13-CA-103529	Forever 21	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Forever 21		IL			40	JHOFSTRA		HOFSTRA	PHITTERM	None	Withdrawal Non-adjusted	5/17/2013		C	CA
	13-CA-103563	Macy's	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Macy's		IL	1		500	JSCHRAN		SCHRAN	PHITTERM	None	Withdrawal Non-adjusted	6/12/2013		C	CA
	13-CA-103524	Karavites Restaurants 26, Inc d/b/a McDonald's	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Karavites Restaurants 26, Inc d/b/a McDonald's		IL			30	JPROKOP		PROKOP	PHITTERM	Organizational Campaign	Withdrawal Non-adjusted	6/6/2013		C	CA
	13-CA-103530	SUBWAY	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Madison Subway, LLC		IL			12	CLEE		CLEE	PHITTERM	None	Withdrawal Non-adjusted	5/23/2013		C	CA
	13-CA-103525	RMC Loop Enterprises, LLC d/b/a McDonald's	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	RMC Loop Enterprises LLC d/b/a McDonald's		IL			25	JPROKOP		PROKOP	PHITTERM	None	Withdrawal Non-adjusted	6/6/2013		C	CA
	13-CA-103612	Wright Management, Inc d/b/a Rock-N-Roll McDonald's	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Wright Management, Inc d/b/a Rock-N-Roll McDonald's		IL			75	JPROKOP		PROKOP	PHITTERM	None	Withdrawal Non-adjusted	5/23/2013		C	CA
	13-CA-103614	Whole Foods	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Whole Foods		IL			100	CMUHL		CMUHL	PHITTERM	None	Withdrawal Non-adjusted	5/31/2013		C	CA
	13-CA-103615	Whole Foods	Open	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Whole Foods		IL			100	CMUHL		CMUHL	MCASS	None				C	CA
	13-CA-103617	Karavites Restaurants 11102, LLC d/b/a McDonald's	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Karavites Restaurants 11102, LLC d/b/a McDonald's		IL			25	JPROKOP		PROKOP	PHITTERM	None	Withdrawal Non-adjusted	6/6/2013		C	CA

New	Case Number	Case Name	Status	Date Filed	IA Category	Charging Party/Petitioner	Blocked	Dispute/Unit City	Charged Party/Employer	Hot Topics	Dispute/Unit State	No. 8(b)(2) Discriminatees	No. 8(a)(3) Discriminatees	No. of Employees on Petition/Charge	Team	Inquiry Id (b) (6), (b) (7)(C)	Field Agent	Field Supervisor	Barg Status	Closed Reason	Date Closed	Description	Type	Sub Type
	13-CA-103531	Rainforest Cafe	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Rainforest Cafe		IL		1	30	CLEE		CLEE	PHITTERM	Organizational Campaign	Withdrawal Non-adjusted	5/23/2013		C	CA
	13-CA-103532	Sears Roebuck & Company	Open	4/23/2013	3	Workers Organizing Committee of Chicago	No	Chicago	Sears Roebuck & Co		IL		1	275	ECORTEZ		ECORTEZ	RPAZ	Organizational Campaign				C	CA
	13-CA-103533	Whole Foods	Open	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Whole Foods		IL			210	AHWILLIA		AHWILLIA	TCRAIG	Organizational Campaign				C	CA
	13-CA-093201	Roadlink Workforce Solutions, Inc	Open	11/14/2012	3	WAREHOUSE WORKERS ORGANIZING COMMITTEE	No	Elwood	SCHNEIDER LOGISTICS AND SELECT REMEDY, JOINT EMPLOYER		IL		2	2	JGREENHI		JGREENHI	PPROKOP	None				C	CA
	13-CA-093202	Roadlink Workforce Solutions	Open	11/14/2012	3	WAREHOUSE WORKERS ORGANIZING COMMITTEE	No	Elwood	ROADLINK WORKFORCE SOLUTIONS		IL		5	50	JGREENHI		JGREENHI	PPROKOP	None				C	CA
	13-CA-093204	Schneider Logistics and Select Remedy, joint employer	Closed	11/14/2012	3	WAREHOUSE WORKERS ORGANIZING COMMITTEE	No	Elwood	SCHNEIDER LOGISTICS AND SELECT REMEDY, JOINT EMPLOYER		IL		1	50	JGREENHI		JGREENHI	PPROKOP	None	Dismissal Non-adjusted	1/31/2013		C	CA
	13-CA-089663	Roadlink Workforce Solutions, Inc	Open	9/20/2012	3	WAREHOUSE WORKERS ORGANIZING COMMITTEE	No	Channahon	SCHNEIDER LOGISTICS AND SELECT REMEDY, JOINT EMPLOYER		IL			100	DMURPHY		DMURPHY	JMUTH	Organizational Campaign				C	CA

Cases

New	Case Number	Case Name	Status	Date Filed	IA Category	Charging Party/Petitioner	Blocked	Dispute/Unit City	Charged Party/Employer	Hot Topics	Dispute/Unit State	No. 8(b)(2) Discriminatees	No. 8(a)(3) Discriminatees	No. of Employees on Petition/Charge	Team	Inquiry Id	Field Agent	Field Supervisor	Barg Status	Closed Reason	Date Closed	Description	Type	Sub Type
☆	13-CA-118598	McDonald's	Open	12/9/2013	2	Workers Organizing Committee of Chicago	No	Chicago	McDonald's		IL			35	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	RPAZ	None				C	CA
	13-CA-117083	McDonald's	Open	11/14/2013	2	Workers Organizing Committee of Chicago	No	Chicago	McDonald's		IL			60	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	RPAZ	None				C	CA
	13-CA-115647	McDonald's	Open	10/25/2013	2	Workers Organizing Committee of Chicago	No	Chicago	McDonald's		IL		1	25	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	RPAZ	None				C	CA
	13-CA-113821	McDonald's	Open	9/20/2013	2	Workers Organizing Committee of Chicago	No	Chicago	McDonald's		IL		1	35	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	RPAZ	None				C	CA
	13-CA-113837	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's	Open	9/20/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's		IL		1	150	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	RPAZ	None				C	CA
	13-CA-112220	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's	Closed	8/28/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's		IL			200	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	RPAZ	None	Withdrawal Non-adjusted	9/30/2013		C	CA
	13-CA-112046	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's	Closed	8/26/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's		IL		1	200	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	RPAZ	None	Withdrawal Non-adjusted	9/30/2013		C	CA
	13-CA-107668	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's	Open	6/20/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's		IL		1	200	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	PHITTERM	None				C	CA
	13-CA-106490	Karavites Restaurants 11102 LLC, d/b/a McDonald's	Open	6/4/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Karavites Restaurants 11102 LLC, d/b/a McDonald's		IL			25	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	PHITTERM	None				C	CA
	13-CA-106493	RMC Loop Enterprises, LLC, d/b/a McDonald's	Open	6/4/2013	2	Workers Organizing Committee of Chicago	No	Chicago	RMC Loop Enterprises LLC d/b/a McDonald's		IL			25	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	PHITTERM	None				C	CA
	13-CA-106491	Karavites Restaurants 26, Inc. d/b/a McDonald's	Open	6/4/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Karavites Restaurants 26, Inc. d/b/a McDonald's		IL		1	30	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	PHITTERM	None				C	CA
	13-CA-105770	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's	Closed	5/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's		IL		1	50	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	PHITTERM	None	Withdrawal Non-adjusted	6/27/2013		C	CA
	13-CA-103524	Karavites Restaurants 26, Inc. d/b/a McDonald's	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Karavites Restaurants 26, Inc. d/b/a McDonald's		IL			30	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	PHITTERM	Organizational Campaign	Withdrawal Non-adjusted	6/6/2013		C	CA
	13-CA-103525	RMC Loop Enterprises, LLC d/b/a McDonald's	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	RMC Loop Enterprises LLC d/b/a McDonald's		IL			25	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	PHITTERM	None	Withdrawal Non-adjusted	6/6/2013		C	CA
	13-CA-103612	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Wnght Management, Inc. d/b/a Rock-N-Roll McDonald's		IL			75	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	PHITTERM	None	Withdrawal Non-adjusted	5/23/2013		C	CA
	13-CA-103617	Karavites Restaurants 11102, LLC d/b/a McDonald's	Closed	4/23/2013	2	Workers Organizing Committee of Chicago	No	Chicago	Karavites Restaurants 11102, LLC d/b/a McDonald's		IL			25	JPROKOP	(b) (6), (b) (7)(C)	JPROKOP	PHITTERM	None	Withdrawal Non-adjusted	6/6/2013		C	CA
	13-CA-100471	McDonald's Corporation	Closed	3/15/2013	3	(b) (6), (b) (7)(C)	No	Hammond	MCDONALD'S CORPORATION		IN			60	DFLATTE	(b) (6), (b) (7)(C)	DFLATTE	RPAZ	None	Withdrawal Non-adjusted	5/1/2013		C	CA

Field Examiner J. Prokop's Contact Log

Case Number 13-CA-118689

Current Date Time Who/what?

Thursday, December 19, 2013 11:19 AM VM from Gina Livolte
representing ER in matter. She just got documentation today.
she is unfamiliar with this area. She sent in appearance.
13-CA-118689 847-786-2507

Thursday, December 19, 2013 11:20 AM TC to Gina
I will send her request for info once I get evidence. No need to respond yet.

Friday, January 03, 2014 10:40 AM TC to Barry
he hasn't heard from witnesses yet. Told him I'm available Mon thru Thurs next week. He
might not know until Monday, but he's trying to get people in.
I will let him know if I need to solicit withdrawal as no evidence presented.

Thursday, January 09, 2014 5:30 PM TC to Barry Bennett
he knows he still needs to present witness. He's working on it. Now that holidays are
over, they'll try again.

Wednesday, January 15, 2014 2:56 PM TC from George
He is meeting with (b) (6), (b) (7)(C) now and (b) (6) can't come in today. (b) (6) could come (b) (6), (b) (7) It
is my part time day off. They will call me Monday (holiday) to let me know when (b) (6) can
meet (b) (6), (b) (7)(C).

Wednesday, (b) (6), (b) (7)(C) 2014 11:00 AM TC from George
Woodson Regional Library at 95th and Halsted, 930 or 10am I will meet (b) (6), (b) (6), (b) (7)(C), (b)
I told him I had spoken to my supervisor and the charge needs to be withdrawn as it was
filed on 12/10. (b) (5)

Wednesday, (b) (6), (b) (7)(C) 2014 11:01 AM cont of TC from George
(b) (5), (b) (6), (b) (7)(C)

Wednesday, (b) (6), (b) (7)(C) 2014 4:27 PM VM from George
calling re (b) (6), (b) (7)(C), confirming appt (b) (6), (b) (7)(C) at woodson library
(b) (6), (b) (7)(C) is (b) (6), (b) (7)(C) phone number

Case Number 13-CA-118689

Current Date **Time** **Who/what?**

Friday, January 31, 2014 11:26 AM VM from Gina Livolsi

from LaPoint Law. McDonald's 13-CA-118689

847-786-2507 she is wondering if we are sending out letter as she is going on (b) (6), (b) (7)(C)
leave in a week.

Friday, January 31, 2014 1:30 PM TC to Gina

I told her that the union was withdrawing the instant charge and refiling a new charge.

I told her that they'd be refiling within the next week.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
209 S La Salle St Ste 900
Chicago, IL 60604-1443

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341

December 11, 2013

McDonald's
70 East Garfield Blvd
Chicago, IL 60615

Re: McDonald's
Case 13-CA-118689

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner JANA C. PROKOP whose telephone number is (312)353-8613 and whose e-mail address is jana.prokop@nlrb.gov. If this Board agent is not available, you may contact Deputy Regional Attorney RICHARD KELLIHER-PAZ whose telephone number is (312)353-7629.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge by December 24, 2013. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be

considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in dark ink, appearing to be "P. Sung", with a long horizontal stroke extending to the right.

PETER SUNG OHR
Regional Director

bz

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

McDonald's

CASE NUMBER

13-CA-118689

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$

YES NO

B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: _____**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MCDONALD'S

Charged Party

and

**WORKERS ORGANIZING COMMITTEE OF
CHICAGO**

Charging Party

Case 13-CA-118689

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 11, 2013, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

McDonald's
70 East Garfield Blvd
Chicago, IL 60615

December 11, 2013

Date

Brendan Zarling, Designated Agent of
NLRB

Name

Brendan Zarling

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
209 S La Salle St Ste 900
Chicago, IL 60604-1443

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341

December 11, 2013

Workers Organizing Committee of Chicago
123 W Madison St Ste 800
Chicago, IL 60602-4621

Re: McDonald's
Case 13-CA-118689

Dear Sir or Madam:

The charge that you filed in this case on December 10, 2013 has been docketed as case number 13-CA-118689. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner JANA C. PROKOP whose telephone number is (312)353-8613 and whose e-mail address is jana.prokop@nlrb.gov. If the Board agent is not available, you may contact Deputy Regional Attorney RICHARD KELLIHER-PAZ whose telephone number is (312)353-7629.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'P. Sung', with a long horizontal flourish extending to the right.

PETER SUNG OHR
Regional Director

bz

Enclosures:

cc: Barry M. Bennett, ESQ., Attorney at Law
Dowd, Bloch & Bennett
8 S Michigan Ave
Fl 19
Chicago, IL 60603-3315

From: [Barry Bennett](#)
To: [Prokop, Jana C.](#)
Subject: WOCC Charges
Date: Wednesday, December 18, 2013 1:05:17 PM

Jana,

Sorry we missed each other yesterday and I'm being a pest today, but very eager to talk to you about scheduling as we move into holiday period. Please call when you can; and if they tell you I'm on another call or anything, tell them I asked to be interrupted for your call.

Thanks.

Barry

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From: [George Luscombe](#)
To: [Prokop, Jana C.](#)
Cc: [Barry Bennett](#)
Subject: Re: McDonald's/70 E Garfield
Date: Wednesday, January 15, 2014 8:47:07 AM

Thanks, Jana.

I will let you know.

On Jan 14, 2014, at 10:08 PM, "Prokop, Jana C." <Jana.Prokop@nlrb.gov> wrote:

I am definitely available anytime (b) (6), (b) (7)(C), (b) (7)(D) through 345pm which is when I usually leave to get home on time. If need be, I can ask (b) (6), (b) (7)(C) (b) (6), (b) (7)(C). I just can't stay very late (b) (6), (b) (7)(C). George, it would be great if you could keep me posted on the plan so I know what is going on. For example, if it's getting later in the afternoon and you just want to meet with (b) (6), (b) (7)(C), (b) (7)(D) (and then later brief me so I know what to cover), I can easily meet up with (b) (6), (b) (7)(C), (b) (7)(D) for a field interview on another day.

From: Barry Bennett [<mailto:bbennett@dbb-law.com>]
Sent: Tuesday, January 14, 2014 8:02 PM
To: Calleen Carter-Patton; Prokop, Jana C.; George Luscombe
Cc: Caleb Jennings
Subject: McDonald's/70 E Garfield

Calleen, George Luscombe will meet (b) (6), (b) (7)(C), (b) (7)(D) (b) (6), (b) (7)(C), (b) (7)(D) or whenever you get (b) (6), (b) (7)(C), (b) (7)(D) here, and we'll work on getting (b) (6), (b) (7)(C), (b) (7)(D) to the NLRB (b) (6), (b) (7)(C), (b) (7)(D) or whenever, or arranging a field interview.

Jana, I don't know anything about your availability (b) (6), (b) (7)(C), (b) (7)(D) but we have one of the named discriminatees from 13-CA-118689 coming in (b) (6), (b) (7)(C), (b) (7)(D) to talk to George. I don't know how long that will take or how much (b) (6), (b) (7)(C), (b) (7)(D) have to say or how late (b) (6), (b) (7)(C), (b) (7)(D) can stay (b) (6), (b) (7)(C), (b) (7)(D) but if you're going to be in the office (b) (6), (b) (7)(C), (b) (7)(D) and might be able to get started with (b) (6), (b) (7)(C), (b) (7)(D) I'll ask George to let you know the timing and get (b) (6), (b) (7)(C), (b) (7)(D) over to you if the two of them wrap up early enough. Otherwise George will try to coordinate a different day and time with you once he has (b) (6), (b) (7)(C), (b) (7)(D) with him. My guess is that if (b) (6), (b) (7)(C), (b) (7)(D) doesn't work, (b) (6), (b) (7)(C), (b) (7)(D) would be very please to have you do a field interview, although I can't say when or where. Thanks, and please respond to George and me when you're able.

George, Thanks dude.

Best regards to each of you'se.

Barry

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From: [George Luscombe](#)
To: [Prokop, Jana C.](#)
Cc: [Barry Bennett](#)
Subject: McDonald's (70 E Garfield) 13-CA-118689:
Date: Wednesday, (b) (6), (b) (7)(C) 2014 11:18:06 AM

Jana,

We finally have availability from (b) (6), (b) (7)(C). Would you be able to do (b) (6), (b) (7)(C) sometime (b) (6), (b) (7)(C) ((b) (6), (b) (7)(C))? Could be at your office or field affidavit at a library down by 95th and Halsted.

Thanks,

George

George A. Luscombe III
DOWD, BLOCH, BENNETT & CERVONE
8 South Michigan Avenue - 19th Floor
Chicago, IL 60603
Phone: 312/372-1361 | Fax: 312/372-6599
gluscombe@dbb-law.com

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify Dowd, Bloch & Bennett (office@dbb-law.com). Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Dowd, Bloch & Bennett. Finally, the recipient should check this email and any attachments for the presence of viruses. Dowd, Bloch & Bennett accepts no liability for any damage caused by any virus transmitted by this email.

From: [Prokop, Jana C.](#)
To: ["Barry Bennett"; "George Luscombe"](#)
Subject: McDonald's 13-CA-118598 and 118689
Date: Wednesday, (b) (6), (b) (7)(C) 2014 4:18:00 PM

Hi Barry & George –

Just wanted to let you know that I spoke to my supervisor regarding the above charges (regarding (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), (b) (7)(D) respectively) and he stated that the charges need to be withdrawn as the Charging Party has not presented evidence as of yet. These were filed on 12/9 and 12/10, so it's been a while that they've been filed with no evidence. I was asked to reiterate our 2 week deadline for presentation of witnesses, although I sympathize that it is difficult with them not knowing their schedules ahead of time.

I understand that we're still working on my meeting with (b) (6), (b) (7)(C), (b) (7)(D) and we'll continue to try to iron out the details for that appointment. If I take (b) (6), (b) (7)(C), (b) (7)(D) statement (b) (6), (b) (7)(C), (b) (7)(D) the Union can file a new charge covering what will be in (b) (6) affidavit.

In any event, please let me know by Monday (b) (6), (b) (7)(C), (b) (7)(D) whether you'll be withdrawing the above charges. If not, I've been told I have to recommend dismissal.


Thanks!

-Jana

1/29/2013

13-CA-118689

This is regarding my conversation with my supervisor and DRA Kelliher-Paz. I informed him that in the instant charge, filed on December 10, the Union has yet to present its witness, despite repeated requests to do so. The Union knows about our 2 week deadline to present witnesses, and we have on multiple charges seen witnesses past the 2 weeks, as it has been difficult to schedule them with their not knowing their schedules ahead of time. (The Employer posts them on a weekly basis.) Many of them also work for other Employers. (b) (5)

A large black rectangular redaction box covers the bottom portion of the text, starting from the end of the paragraph and extending across the width of the page.

From: [George Luscombe](#)
To: [Prokop, Jana C.](#)
Subject: Re: McDonald's, 13-CA-118689 - (b) (6), (b) (7)(C), (b) (7)(D)
Date: Wednesday, (b) (6), (b) (7)(C), (b) (7)(D) 2014 9:45:42 PM

Yes. I will do the affidavit review. I will send a PDF if the appearance in the morning.

Thanks!

On (b) (6), (b) (7)(C), (b) (7)(D) 2014, at 7:45 PM, "Prokop, Jana C." <Jana.Prokop@nlrb.gov> wrote:

Hi George - Sounds good. Will you be the one reviewing the affidavit? If not, let me know who will be so I know who to call once we're done. I will also need a notice of appearance from you or whoever will be reviewing. I'll have (b) (6), (b) (7)(C), (b) (7)(D) fill out a designation of representative form as well.

From: George Luscombe [<mailto:gluscombe@dbb-law.com>]
Sent: Wednesday, (b) (6), (b) (7)(C), (b) (7)(D), 2014 4:30 PM
To: Prokop, Jana C.
Cc: Barry Bennett
Subject: Re: McDonald's, 13-CA-118689 - (b) (6), (b) (7)(C), (b) (7)(D)

Jana,

We are 100% confirmed from the Union now that (b) (6), (b) (7)(C), (b) (7)(D) will meet you in (b) (6), (b) (7)(C), (b) (7)(D) the Woodsen Library at 95th and Halsted.

(b) (6), (b) (7)(C), (b) (7)(D) cell phone is (b) (6), (b) (7)(C), (b) (7)(D)

I will be available in the morning to help with anything you need. You can call me at the office (312) 372-1361 or my cell (312) 480-0840.

As always, thanks so much for understanding these workers' difficult schedules.

George

George A. Luscombe III
DOWD, BLOCH, BENNETT & CERVONE
8 South Michigan Avenue - 19th Floor
Chicago, IL 60603
Phone: 312/372-1361 | Fax: 312/372-6599
gluscombe@dbb-law.com

On Wed, [REDACTED] 2014 at 3:53 PM, George Luscombe <gluscombe@dbb-law.com> wrote:
Jana,

To help your interview, here are a few bullets of my understanding of what [REDACTED] may testify to:

[REDACTED] began working at the Garfield location in about [REDACTED]. Before that [REDACTED].

- [REDACTED] began his union activity in or about [REDACTED] 2013, including [REDACTED]. I believe someone in management asked [REDACTED].

- Sometime a few weeks before the [REDACTED] strike, the union delivered a petition with [REDACTED] and some of [REDACTED] names on it to management. Within a day or two, the [REDACTED] said something to the effect of "let another person bring in another damn petition, and someone's gonna get fired." [REDACTED] heard [REDACTED] say this and other workers were present. Although [REDACTED] has the title [REDACTED] appears to be a supervisor with the power to discipline workers. [REDACTED] has given [REDACTED] write-ups and suspended [REDACTED] in the past. [REDACTED] wears [REDACTED].

[REDACTED] participated in the [REDACTED] 2013 strike, which included a [REDACTED].

-On or about [REDACTED] 2013 ([REDACTED] after the strike) [REDACTED] was not allowed to clock in at [REDACTED] scheduled time. (Note that I believe we gave the wrong date [REDACTED] 2013) in the allegation in the charge.)

-On or about [REDACTED] following the strike ([REDACTED]), [REDACTED] told [REDACTED] that [REDACTED] needed to go to [REDACTED] other store location to pick up [REDACTED] check. [REDACTED] had never been asked to do this before, and the other workers did not have to go to the other location to get their checks. When [REDACTED] went to the other store, [REDACTED] had to meet with [REDACTED] [REDACTED] gave [REDACTED] a write-up claiming that [REDACTED] shoes were not compliant with the dress code. While it appears [REDACTED] had raised the shoe issue with [REDACTED] before the strike, [REDACTED] had not been given any discipline for this before the strike, and [REDACTED] had already altered [REDACTED] shoes to comply with the dress code. At the meeting [REDACTED] also asked [REDACTED] something to the effect of "what was the point of going on strike." [REDACTED] also said something to the effect of, "why didn't you come to me." They did not give [REDACTED] a copy of the discipline.

-Management has also been harassing [REDACTED] since the [REDACTED] 2013 strike. This includes [REDACTED] giving [REDACTED] a write-up on or about [REDACTED] alleging [REDACTED] used [REDACTED] cell phone at work, when (I believe) multiple witnesses and McDonald's camera surveillance should show that [REDACTED] was not. I believe [REDACTED] will likely have other incidents of harassment since the strike.

I am still waiting on the 100% confirmation from the union that (b) (6), (b) (7)(C) will be at the library in the morning.

Thanks,
George

George A. Luscombe III
DOWD, BLOCH, BENNETT & CERVONE
8 South Michigan Avenue - 19th Floor
Chicago, IL 60603
Phone: 312/372-1361 | Fax: 312/372-6599
gluscombe@dbb-law.com

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NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

McDonald's
70 E Garfield Blvd.
Chicago, IL 60615

and

CASE 13-CA-118689

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____

☒ (b) (6), (b) (7)(C), (b) (7)(D) for affidavit review only.

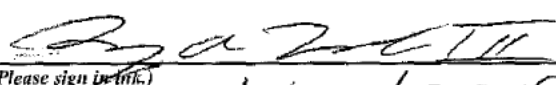
IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

George A. Luscombe III	
NAME:	
MAILING ADDRESS:	Dowd, Bloch, Bennett & Cervone, 8 S. Michigan Ave, 19th Floor, Chicago, IL 60603
E-MAIL ADDRESS:	gluscombe@dbb-law.com
OFFICE TELEPHONE NUMBER:	312-372-1361
CELL PHONE NUMBER:	FAX: 312-372-6599
SIGNATURE:	
DATE:	(Please sign in ink.) 1/30/2014

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.



United States Government

NATIONAL LABOR RELATIONS BOARD

Region 13

209 South LaSalle - Suite 900

Chicago, Illinois 60604-1219

Office Telephone: (312) 353-8613
Fax: (312) 886-1341

December 31, 2013

(b) (6), (b) (7)(C), (b) (7)(D)

Re: McDonald's
Case 13-CA-118689

(b) (6), (b) (7)(C), (b) (7)(D)

Here is a copy of the affidavit you gave on (b) (6), (b) (7)(C), (b) (7)(D). If you wish, you may give a copy to the Union, but that is completely up to you. I will not be giving a copy of your affidavit to anyone outside our office, with the exception of you as this is your affidavit.

Also, I've included a designation of representative form for you to sign and send back to me in the enclosed envelope addressed to the NLRB which requires no postage. Just sign at the bottom left of the form where it states "sign here." Then mail back to me in the enclosed envelope which requires no additional postage.

Please call me at 312-353-8613 or e-mail me at jana.prokop@nlr.gov if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jana Prokop". The signature is written in a cursive style with a large, looping initial "J".

Jana Prokop
Field Examiner

From: [George Luscombe](#)
To: [Prokop, Jana C.](#)
Cc: [Barry Bennett](#)
Subject: 13-CA-118689 - McDonald's - Withdrawal of Charge
Date: Friday, January 31, 2014 12:38:25 PM

Jana,

The Union requests to withdraw its charge in Case 13-CA-118689 (McDonald's).

Thank you for your assistance,

George

George A. Luscombe III
DOWD, BLOCH, BENNETT & CERVONE
8 South Michigan Avenue - 19th Floor
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From: [Prokop, Jana C.](#)
To: ["Barry Bennett"](#)
Subject: RE: WOCC/McDonald's
Date: Friday, January 31, 2014 2:58:00 PM

Nope – I have the withdrawals from George. Thanks!

From: Barry Bennett [mailto:bbennett@dbb-law.com]
Sent: Thursday, January 30, 2014 7:12 PM
To: Prokop, Jana C.
Subject: WOCC/McDonald's

Jana,

Based on the timing issues, we'll withdraw the charges involving the locations on Garfield and on 79th. We plan to refile for Garfield, of course, based on the affidavit you took from (b) (6), (b) (7)(C), (b) (7)(D) Not as sure about 79th.

Please let me know if you need anything else on this.

Thanks.

Barry

--

BARRY M. BENNETT
DOWD, BLOCH, BENNETT & CERVONE
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
Phone 312.372.1361 | Fax 312.372.6599

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From: [Prokop, Jana C.](#)
To: [Barry Bennett](#)
Subject: 70 E Garfield McDonald's
Date: Tuesday, February 18, 2014 2:25:00 PM

Barry –

The name that I was trying to recall in our phone conversation from this morning was (b) (6), (b) (7)(C), (b) (7)(D) (b) (6) had given an affidavit on (b) (6), (b) (7)(C), (b) (7)(D). You withdrew 118689 for the 70 E Garfield location, but I don't think you ever refiled, right?

-Jana

From: [Brian Sharpe](#)
To: [Prokop, Jana C.](#)
Subject: Workers Organizing Committee of Chicago v. Kandice Enterprises - NLRB No. 13-CA-118689
Date: Thursday, February 20, 2014 3:59:22 PM

Dear Jana,

Per our conversation, I am taking over this case for my colleague, Gina LiVolsi, who just went on (b) (6), (b) (7)(C) leave. Please send all future correspondence to my attention at the contact information listed below.

Thank you very much and have a great rest of your week.

Brian

Brian J. Sharpe
LaPointe Law, P.C.

1200 Shermer Road, Suite 310 | Northbrook, IL 60062

Phone 847.786.2505 | Fax 847.786.2650

bsharpe@lapointelaw.net | www.lapointelaw.net

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
209 S La Salle St Ste 900
Chicago, IL 60604-1443

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341

February 5, 2014

Gina LiVolsi, Attorney
LaPointe Law, P.C.
1200 Shermer Road, Suite 310
Northbrook, IL 60062

Re: McDonald's
Case 13-CA-118689

Dear Ms. LiVolsi:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

cc: Barry M. Bennett, ESQ.
Dowd, Bloch & Bennett
8 S. Michigan Ave., Floor 19
Chicago, IL 60603-3315

Workers Organizing Committee
of Chicago
123 W. Madison Street, Suite 800
Chicago, IL 60602-4621

McDonald's
70 East Garfield Blvd
Chicago, IL 60615